

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

:
Plaintiff,

: Case No. 3:17cr135

vs.

: JUDGE WALTER H. RICE

KEVIN MCCLESKEY,

:
Defendant.

DECISION AND ENTRY OVERRULING DEFENDANT'S MOTION TO
AMEND HIS PRESENTENCE REPORT; ADDENDUM TO PRESENTENCE
REPORT

Defendant, Kevin A. McCleskey, having previously been sentenced by this Court, has filed a motion asking this Court to amend his Presentence Report. For reasons set forth below, this Court overrules said motion to amend Presentence Report, and, instead, files the following addendum to same.

In the Presentence Report, on page 23 at paragraph 92, the Investigator preparing said Presentence Report set forth the following: "McCleskey reported first trying alcohol at age 29. He denied ever using alcohol on a regular basis and stated he does not feel he has a problem with alcohol. . ." Defendant has asked that this Court amend said paragraph 92 to reflect the following: "McCleskey reported first trying alcohol at age 29. He used alcohol on a regular basis up until his arrest in September, 2017, but stated that he does not feel he has a problem with alcohol."

Following a telephone conference call convened by the Court with counsel of record and

United States Probation Officer, Charles Steed, Mr. Steed has consulted his notes and affirms that the objected-to portion of the Presentence Report is accurate, as a reflection of what Defendant related to him during the interview conducted in aid of the Presentence Report. However, in fairness to Mr. McCleskey, while this Court will not order the Presentence Report amended, it will state that Mr. McCleskey's position is that "he used alcohol on a regular basis up until his arrest in September, 2017, but stated he does not feel he has a problem with alcohol."



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

April 4, 2018

Copies to:

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